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Raymond M. Galasso
Galasso & Associates, LP
P.O. Box 26503
Austin, TX 78755-0503

In re Application of
STOCKTON, et al.
U.S. Application No.: 10/581,987
PCT No.: PCT/US04/41597
Int. Filing Date: 13 December 2004
Priority Date: 12 December 2003
Attorney Docket No.: 1709.030002
For: METHOD AND SYSTEM CONFIGURED FOR
FACILITATING MANAGEMENT OF INTER-
NATIONAL TRADE RECEIVABLES
TRANSACTIONS

DECISION ON PETITION
UNDER 37 CFR 1.47(a)

This decision is in response to applicant's renewed petition to accept the present national stage application without the signature of joint inventor Wil Ballard filed 22 June 2007 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 23 April 2007, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47(a). Applicant was afforded two months to file any request for reconsideration.

On 22 June 2007, applicant filed the present renewed petition under 37 CFR 1.47.

DISCUSSION

As detailed in the decision mailed 23 April 2007, a petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicant previously satisfied items (1) and (3).

As to item (2), applicant has now filed evidence to show that Mr. Ballard was presented with a complete set of application papers and to date he has not responded with an executed oath or declaration. This period of non-response constitutes a refusal under 37 CFR 1.47. Thus applicant has satisfied this item.

Regarding item (4), while applicant has presently submitted a declaration executed by the remaining inventors on their own behalf, as well as, on the behalf of Mr. Ballard, the filed

declaration does not comply with 37 CFR 1.497(a)(3) in that it does not provide at least the citizenship of Mr. Ballard.

CONCLUSION

For the reasons stated above, applicant's renewed petition under 37 CFR 1.47(a) is **DISMISSED**.

Any reconsideration on the merits of this petition must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(a)." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be directed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459